

Santa Clara County Clerk—Recorder's Office  
State of California

County of Santa Clara  
Office of the County Clerk-Recorder  
Business Division

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REGINA ALCOMENDRAS, County Clerk—Recorder  
by Veronica Aguirre, Deputy Clerk—Recorder,

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of San Jose
2. PROJECT TITLE: St. James Towers Residential Project, File No. H13-041
3. APPLICANT NAME: KT Properties, attn: Mark Tersini PHONE: 408-257-2100
4. APPLICANT ADDRESS: 21710 Stevens Creek Boulevard, Cupertino, CA 95014
5. PROJECT APPLICANT IS A: ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

**a. PROJECTS THAT ARE SUBJECT TO DFG FEES**

- |   |             |         |
|---|-------------|---------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)                                   | \$ 2,995.25 | \$ 0.00 |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))                                       | \$ 2,156.25 | \$ 0.00 |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY)                   | \$ 850.00   | \$ 0.00 |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u>  | \$ 1,018.50 | \$ 0.00 |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ 50.00    | \$ 0.00 |

**b. PROJECTS THAT ARE EXEMPT FROM DFG FEES**

- |   |          |         |
|---|----------|---------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)  | \$ 50.00 | \$ 0.00 |
| <input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) |          |         |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION   | \$ 50.00 | \$ 0.00 |

**c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES**

- |   |   |        |           |
|---|---|--------|-----------|
| <input checked="" type="checkbox"/> NOTICE OF PREPARATION | <input type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ NO FEE |
|---|---|--------|-----------|

8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_
9. TOTAL RECEIVED..... \$ 0.00

\*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)



**Notice of Preparation for an Environmental Impact Report for the City of San José  
St. James Towers Residential Project**

November 7, 2013

***Introduction***

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

A Supplemental EIR (SEIR) is prepared when it is determined by the discretionary authority that changes proposed in an approved project will require revisions to the previous EIR because of possible new impacts or an increase in severity of previously identified impacts.

The proposed EIR will be a supplemental to the *Downtown Strategy 2000 Final EIR* and the *Envision San José 2040 General Plan Final EIR* and will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. An Initial Study (which is not included with this NOP) has been prepared (and will be incorporated in the SEIR as an appendix) to focus the SEIR on potentially significant issues pursuant to CEQA Guidelines Section 15178. In accordance with the requirements of CEQA, the focused SEIR will include the following:

- A summary of the project;
- A project description;
- A description of the existing environmental setting, environmental impacts, and mitigation measures for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth inducing impacts of the proposed project; and (d) cumulative impacts.

***Project Location***

The 1.82-acre project site is comprised of 11 parcels (APNs 259-32-001, -002, -003, -004, -005, -006, -007, -008, -009, -016, and -017) located on the block defined by West St. James Street, North San Pedro Street, West St. John Street, and Terraine Street in the City of San José (see Figures 1 and 2).



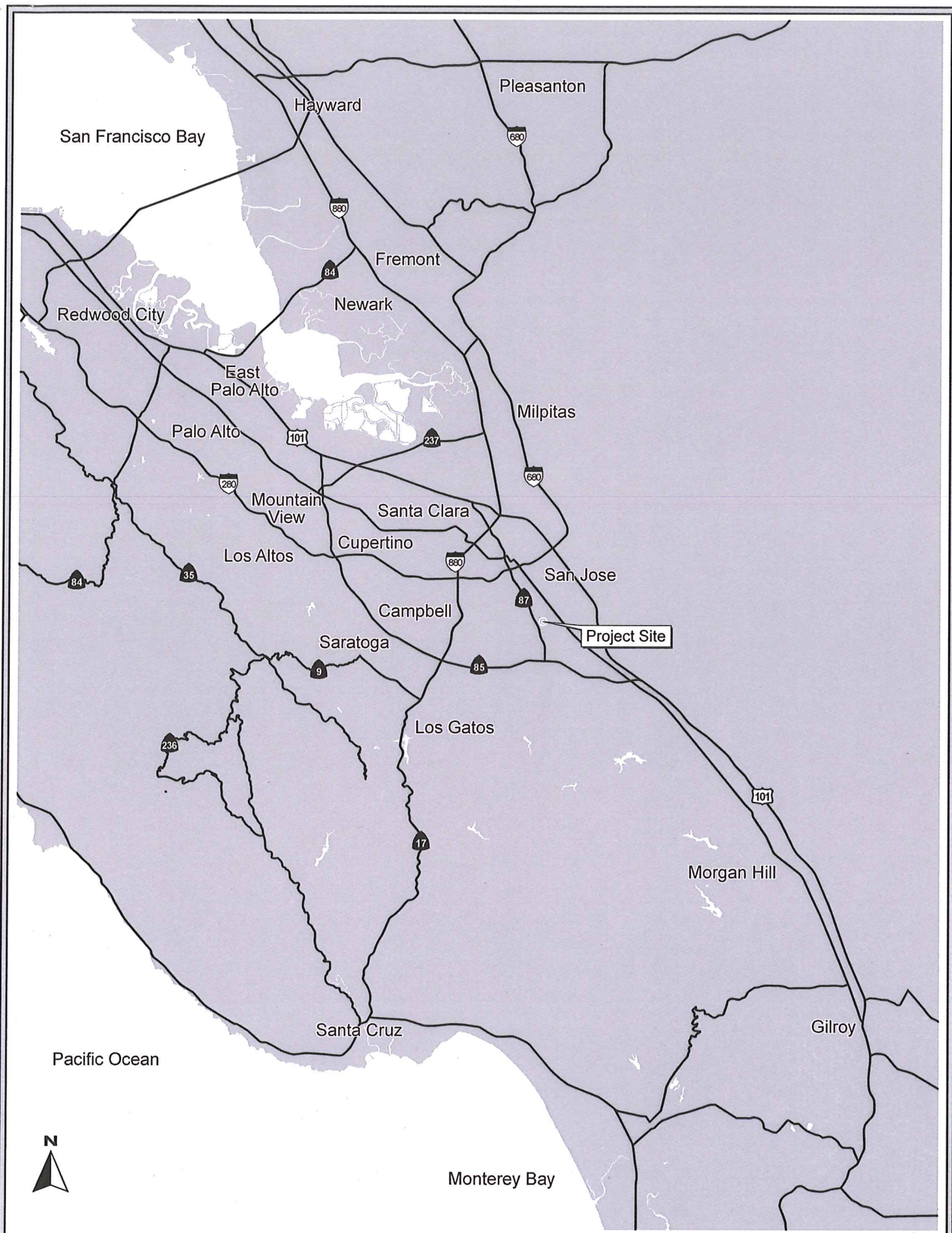


FIGURE 1





FIGURE 2

VICINITY MAP

## ***Project Description***

The project site is currently developed with a large public parking lot and a single-family residence.

As proposed, the project would demolish the existing hardscape, relocate the existing house, remove all trees on the property, and construct two residential towers with ground floor retail and a shared parking structure. The building would have up to 804 residential units and up to 20,000 square feet of retail space. The retail space would be located along the North San Pedro Street and West St. James Street frontages. The ground floor would also contain two lobby areas for the residences, a leasing office, and bicycle parking.

Parking would be provided on-site in a parking garage with three levels of below-grade parking and three levels of above-grade parking. Access to the garage would be from West St. James and Terraine Street.

The site is currently designated *Downtown* under the City of San José's adopted General Plan and zoned *DC – Downtown Core*. The project is consistent with the existing General Plan designation and zoning in that vertical mixed use is anticipated in the Downtown Core zoning and General Plan designations.

## ***Potential Environmental Impacts of the Project***

The SEIR will discuss the environmental effects anticipated to result from development of the project as proposed and will include a discussion of the following specific environmental categories as related to the project:

### ***1. Land Use***

The project site is located in a developed urbanized area surrounded by retail/commercial, office, and residential land uses. The SEIR will describe the existing land uses adjacent to and within the project area. Land use impacts that would occur as a result of the proposed project will be analyzed. The effect of the project on the City's jobs/housing balance will also be analyzed. Mitigation measures will be identified for significant impacts, as warranted.

### ***2. Visual Resources***

The project will replace a parking lot with a two residential towers, 20 and 22 stories, in the downtown area of San José. The SEIR will describe the existing visual setting of the project area and the visual changes that are anticipated to occur as a result of the proposed project. The SEIR will also discuss possible light and glare issues from the development. Mitigation measures will be identified for significant impacts, as warranted.

### ***3. Air Quality***

The SEIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's impacts to local and regional air quality according to the Bay Area Air Quality Management District (BAAQMD) guidelines and thresholds. Temporary construction related impacts such as



construction vehicle exhaust and air-borne particulates (i.e., dust) will also be discussed. Mitigation measures will be identified for significant impacts, as warranted.

#### 4. *Noise and Vibration*

The SEIR will include a discussion of site-specific noise impacts from nearby noise sources on the site, including local roadways and aircraft fly-overs. The SEIR will also discuss noise that will result from operation of the proposed project, as well as temporary construction noise. Noise levels will be evaluated for consistency with applicable standards and guidelines in the City of San José.

Due to the size of the proposed building, it is reasonable to assume that construction of the project will require pile driving. The SEIR will evaluate the effects of vibration during project construction on nearby structures.

Mitigation measures will be identified for significant noise and vibration impacts, as warranted.

#### 5. *Cultural Resources*

The project site has been occupied since the 1800's. Because of the early development on-site, there is the potential for subsurface resources associated with this early development to still be located on-site. The single-family house at the southwest corner of the site may be eligible as a historic resource. Additionally, the project site is in close proximity to three historic buildings.

The SEIR will address the impacts to known and unknown buried historic resources on the project site, as well as impacts to potential historic structures on and near the project site (i.e., impacts to setting, structural integrity, etc). Mitigation measures to avoid impacts to cultural resources on the project site will be identified, as warranted.

#### 6. *Geology*

The project site is located in Seismic Zone 4, which is the most seismically active region in the United States. The SEIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project site. Mitigation measures will be identified for significant impacts, as warranted.

#### 7. *Hydrology and Water Quality*

Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps, the SEIR will address the possible flooding issues of the site as well as the effectiveness of the storm drainage system and the project's effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board. Mitigation measures will be identified for significant impacts, as warranted.

#### 8. *Biological Resources*

The project site is almost entirely covered with hardscape. Landscaping is limited to the southern and western perimeter of the site. The SEIR will identify and discuss potential biological impacts

resulting from construction of the project. Mitigation measures will be identified for significant impacts, as warranted.

9. *Hazards and Hazardous Materials*

The SEIR will summarize hazardous materials conditions on and adjacent to the project site and will evaluate the potential for hazardous materials contamination to impact workers or future residents on the site. Mitigation measures will be identified for significant impacts, as warranted.

10. *Energy*

Implementation of the proposed project will result in an increased demand for energy on-site. The SEIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption. Mitigation measures will be identified for significant impacts, as warranted.

11. *Transportation and Circulation*

The project site is located in a highly developed area of San José and, as can be expected, existing roadway volumes in the project area are high. The SEIR will examine the existing traffic conditions in the immediate vicinity of the project site. While the overall traffic generated by the residential units proposed under the Downtown Specific Plan has already been evaluated, this SEIR will address project specific access and circulation impacts. Mitigation measures will be identified for potential significant impacts, as warranted.

12. *Global Climate Change*

The SEIR will address the proposed project's contribution to regional and global greenhouse gas emissions based on BAAQMD thresholds and conformance to the City's Greenhouse Gas Reduction Strategy in the *Envision San José 2040 General Plan*. Proposed design measures to reduce energy consumption, which in turn would reduce greenhouse gas emissions, will be discussed. Mitigation measures will be identified for significant impacts, as warranted.

13. *Utilities*

Implementation of the proposed project will result in an increased demand on utilities and public facilities compared to existing conditions. The SEIR will examine the impacts of the project on public services, including utilities such as sanitary and storm drains, water supply, and solid waste management. Mitigation measures will be identified for significant impacts, as warranted.

14. *Public Services*

Implementation of the proposed project will increase the population of the City, which will result in an increased demand on public services including police, fire protection, schools, parks, and libraries. The SEIR will address the availability of public facilities and services and the potential for the project to require the construction of new facilities. Mitigation measures will be identified for significant impacts, as warranted.

15. *Alternatives*

The SEIR will examine alternatives to the proposed project including a "No Project" alternative and one or more alternative development scenarios depending on the impacts identified. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.

16. *Significant Unavoidable Impacts*

The SEIR will identify those significant impacts that cannot be avoided, if the project is implemented as proposed.

17. *Cumulative Impacts*

The SEIR will include a cumulative impacts section that will address the potentially significant cumulative impacts of the project when considered with other past, present, and reasonably foreseeable future projects in the development area.

In conformance with the CEQA Guidelines, the SEIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) references and organizations/persons consulted, and 5) SEIR authors.

Signed: John Dandern

Date: 11/8/2013